

III.A.1

MEMO TO: City Council

FROM: Rosemarie Ives, Mayor

QUASI-JUDICIAL

DATE: September 6, 2005

SUBJECT: ORDINANCE: MICROSOFT CAMPUS PRE-ANNEXATION ZONING

I. RECOMMENDED ACTION

Hold the second of two public hearings required for pre-annexation zoning, and approve an ordinance to adopt pre-annexation zoning of Overlake Business and Advanced Technology (OV).

II. DEPARTMENT CONTACT PERSONS

Roberta Lewandowski, Director, Planning and Community Development, 425-556-2447
Rob Odle, Planning Policy Manager, 425-556-2417
Dianna Broadie, Senior Planner, 425-556-2414

III. DESCRIPTION/BACKGROUND

A portion of the Microsoft campus is split between two jurisdictions, Redmond and Bellevue. Microsoft proposed to remedy that situation by moving the parcel wholly into the City of Redmond, so that any land use actions on the parcel would not require dual approvals. Typically, pre-annexation zoning is adopted for those unincorporated areas that are expected to annex in the future. The action to move the City boundary and annex this area was not envisioned prior to the request from Microsoft; and since this area was in Bellevue jurisdiction rather than an unincorporated area, the City of Redmond did not take action to place pre-annexation zoning on it. (To change boundaries from one jurisdiction to another, both cities must pass resolutions approving the change.)

Prior to annexation, the City can establish pre-annexation zoning, as allowed by RCW 35A.14.330 and .340. This involves two public hearings held by the City Council at least 30 days apart. The first of two public hearings was held on July 19, 2005, and no one spoke either pro or con to the issue. There has been no additional communication from the public regarding this issue. This is the second of such public hearings after which the Council can proceed to adopt pre-annexation zoning.

The proposed zone for Overlake Business and Advanced Technology is consistent with the rest of the parcel, and allows the use currently in place. Therefore, that is the recommended zoning.

IV. IMPACT

A. **Service Delivery**: The proposed zoning has no effect on service delivery.

B. **Fiscal**: None

V. **ALTERNATIVES TO STAFF RECOMMENDATION**

A. Do not zone the property prior to annexation. The zoning will default to RA-5 upon annexation. This would make the use non-conforming.

VI. **TIME CONSTRAINTS**

None.

VII. **LIST OF ATTACHMENTS**

Attachment A: Ordinance

Exhibit 1: Legal Description

Exhibit 2: Map with Proposed Zoning

/s/ _____
Roberta Lewandowski, Planning Director

8/24/05 _____
Date

Approved for Council Agenda: /s/ _____
Rosemarie Ives, Mayor

8/24/05 _____
Date

ATTACHMENT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING PRE-ANNEXATION ZONING OF OVERLAKE BUSINESS AND ADVANCED TECHNOLOGY (OV) ON A PORTION OF THE MICROSOFT CAMPUS, CURRENTLY IN BELLEVUE JURISDICTION.

WHEREAS, Microsoft has requested annexation of a portion of the Microsoft campus currently in Bellevue jurisdiction; and

WHEREAS, RCW 35.13.340 allows for a boundary line adjustment between jurisdictions; and

WHEREAS, Bellevue has already agreed to move the boundary as legally described in Exhibit 1 and shown on the attached map, Exhibit 2; and

WHEREAS, RCW 35A.14.330 and .340 allows zoning to be established prior to annexation after two hearings held at least thirty days apart; and

WHEREAS, the City Council held the first public hearing on the proposed zoning on July 19, 2005; and

WHEREAS, the City Council held the second public hearing on the proposed zoning on September 6, 2005, now therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
DO ORDAIN AS FOLLOWS:

Section 1. Zoning. Pre-annexation zoning for the area legally described in Exhibit 1 and shown on the attached map, Exhibit 2, shall be set at Overlake Business and Advanced Technology (OV).

Section 2. Effective Date. This ordinance, being the exercise of a power specifically delegated to the legislative body of the City, is not subject to referendum, and

shall take effect and be in full force five (5) days after passage and publication of an approved summary thereof consisting of the title, provided, that the annexation provided for in Section 1 shall become effective at such time as the Washington State Boundary Review Board approves, or is deemed to have approved, annexation of the property described on Exhibit 1 to the City of Redmond.

CITY OF REDMOND

ROSEMARIE IVES, MAYOR

ATTEST/AUTHENTICATED:

MALISA FILES, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By:_____

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____

Exhibit 1

PRE-ANNEXATION ZONING PORTION OF MICROSOFT CAMPUS Legal Description

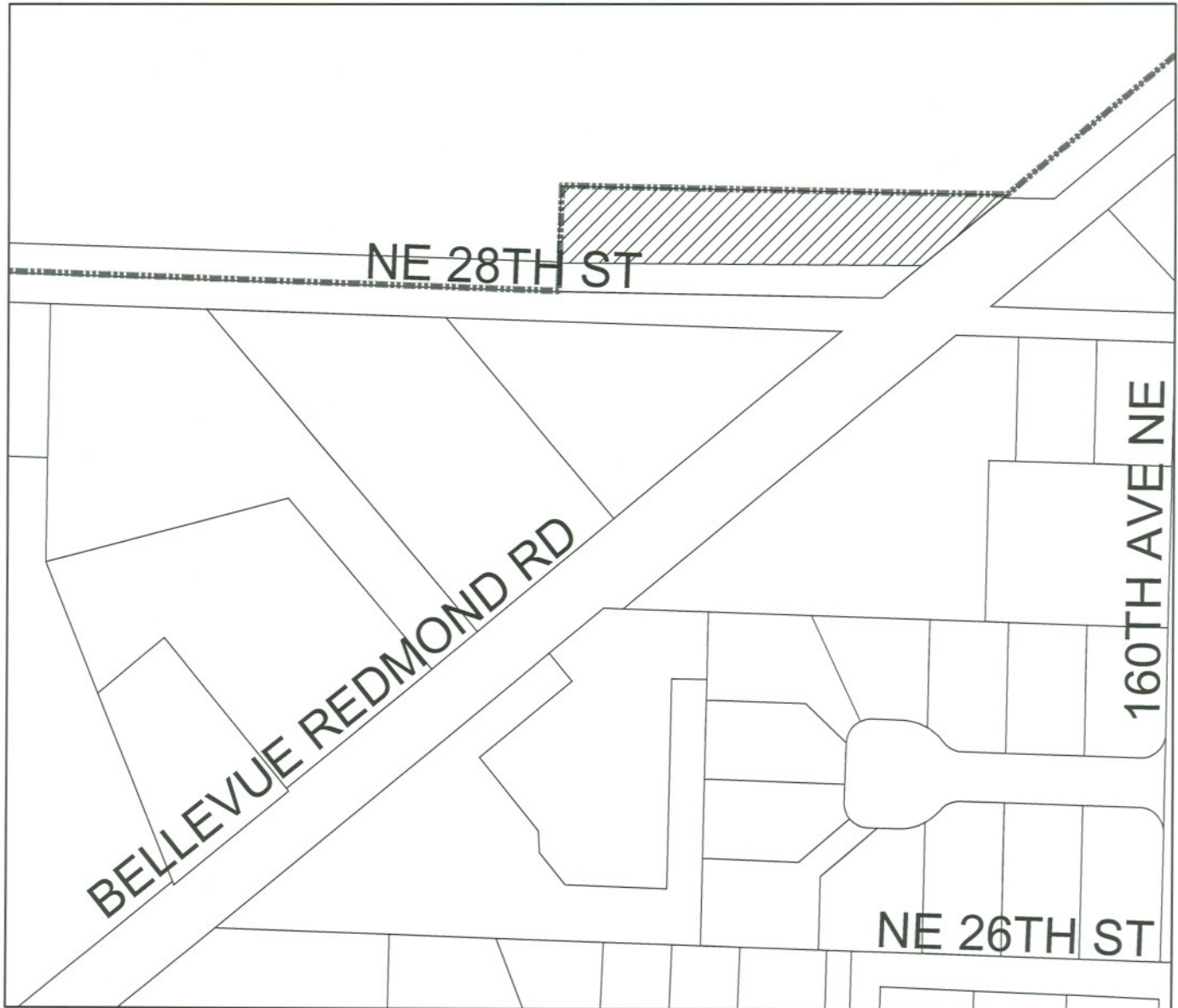
That portion of the Southeast quarter of the Northwest quarter of the Southeast quarter of Section 23, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southwest corner of said subdivision and a point on the Redmond city limits, as established by City of Redmond Ordinance No. 1764; thence Northerly along the West line of said subdivision and Redmond city limits 106.45 feet; thence Easterly along said Redmond city limits to a point on a line 30.00 feet Northwesterly and parallel with the centerline of Bellevue-Redmond Road, as measured at right angles to said centerline and lying 170.00 feet Northeasterly of the intersection of said parallel line with the South line of said subdivision; thence Southwesterly along said parallel line to the South line of said subdivision; thence Westerly along said South line to the Point of Beginning;

Except the South 30.00 feet thereof;

And Except that portion deeded to the City of Redmond by deed filed under Recording No. 8905250755.

Proposed Overlake and Advanced Technology Zone



Current Redmond City Limit



Proposed OV Pre-annexation Zoning



Exhibit 2